

**Virginia Agricultural BMP Technical Advisory Committee**  
**Meeting 9:30 AM, March 28, 2013**  
**DRAFT Summary**

**TAC members in attendance:**

Member	Representing	Member	Representing
Megen Dalton	VACDE	Art Kirkby	DCR CDC (Proxy)
Chris Barbour	SR Cons. Tech.	Chad Wentz	NRCS
Stacy Horton	DCR SR CDC	Darryl Marshall	VDACS
Todd Groh	DOF	David Knicely	DEQ
Robert Bradford	Area II Chair (Proxy)	Emily Horsley	FSA
Tim Sexton	DCR Nut. Man.	Ronnie Nuckols	Area III (Proxy)
Ben Rowe	VA Grain Producers (Proxy)	Emily Nelson	CB Cons. Tech. (Proxy)
Mike Altizer	Area II	Ricky Rash	Area V
Steve Hopkins	VA Cattlemen's Assoc.	Libby Norris	CBF
Stephanie Martin	DCR		

Participants: Perry Morgan, Blue Ridge SWCD

The meeting began at 9:30 AM. Gary Moore led and facilitated the discussion that followed. A summary of discussion topics, action items, and significant conclusions are as follows:

Introductions were made around the room and new representatives and participants were welcomed.

The draft summary of the December 13, 2012 TAC meeting was reviewed and approved with one change noted.

**Old Business**

- ◆ **Resource Management Plans (RMP):** Stephanie Martin informed the TAC that the RMP regulations were presented to the Soil and Water Conservation Board the previous day and approved with a delayed implementation date of December 2013 (7 months) to allow for the development of procedures and processes necessary for plan review and approval. To receive safe harbor for nine years a farm must meet the following criteria
  - **Cropland and Hay land** will have an up to date nutrient management plan, erosion reduced to T and a thirty-five foot buffer.
  - **Pasture land** must have an up to date nutrient management plan, and erosion reduced to T, as well as livestock excluded or with limited access to all surface waters.

The public comments from the SWC Board meeting are posted on the Town Hall web site. Many of the environmental groups were upset and withheld their support due to the lack of a buffer requirement on pastureland, however the statutory requirements did not include the existence of a buffer on pastures and therefore that part of the RMP regulations were modified to remove the buffer requirement. Another comment frequently heard was: How can you require a 35' setback to generate a buffer when you

are offering cost-share dollars for a fence set ten feet back from the top of the bank? Virginia is leading the nation with this effort and there are no other states or regulations to refer to other than the legislative mandate to develop the regulations. SWCDs will be able to write RMPs and be paid for the effort. If they write the plan then DCR will review. If a third party writes the RMP, then the District will review and approve the RMP. If the SWCD writes the RMP then DCR will review and approve. Estimates of the cost to develop a RMP are around \$2,000. Implementation of the approved RMP regulations is delayed seven months meaning that the first development of a plan could begin in December 2013 to January 2014. RMPs do not change any existing regulatory requirements. To develop RMPs an individual must be certified to write nutrient management plans and conservation plans. There are approximately twenty to thirty SWCD employees statewide that are potentially qualified to develop RMPs presently. DCR will have two or three staff dedicated to RMPs. Funds from the Virginia Natural Resources Commitment Fund (VNRFCF) will be dedicated to fund development of RMPs. Safe harbor is not conferred until all of BMPs identified in the plan have been implemented. Existing BMPs (already in place may be used to implement the RMP. The more diverse the operation the more difficult implementation of the RMP will be. DCR will be developing conservation planning software and RMP software to assist conservation planners. The Chesapeake Bay Foundation (CBF) objected to not requiring buffers on pastureland. Nutrient Trading and cost-share for ten foot setback fence to exclude livestock from streams are complicating the issues. To review the regulatory overview visit: the DCR home page and click: [Resource Management Plans](#), the language of the regulations are available at: [http://www.dcr.virginia.gov/laws\\_and\\_regulations/documents/documents/hb1830.pdf](http://www.dcr.virginia.gov/laws_and_regulations/documents/documents/hb1830.pdf). There are still many questions to be resolved, like; If the SWCD develops the RMP is there any conflict with offering cost-share funds to implement the identified practices contained within the plan? How many adaptors are anticipated in the first two years of the process? Will NRCS write RMPs? Chad answered that NRCS is focused on implementing Farm Bill programs and will not be specifically developing RMP however conservation plans written to plan and implement for BMPs might become part of a RMP. NRCS will not be part of the Technical Review Committee for RMPs by national policy. DCR is required to report to the Soil and Water Conservation Board semi annually about the RMP program.

- ◆ **NRCS Updates on Programs:** Chad Wentz provided an update on the progress of 2013 NRCS conservation programs.
  - NRCS was authorized to receive \$19.9M in EQIP funds in the Continuing Resolution, but returned \$4.8M due to sequestration reductions. However \$4M in Chesapeake Bay Watershed Initiative (CBWI) has recently been approved for VA. This means that approximately \$24M will be available in Farm Bill conservation funding in Virginia during FY2013. The existing batching periods have been extended from March 15 to April 19 so that some preapproved EQIP contracts can be shifted to CBWI contracts this process will maximize utilization of Farm Bill funding. There are over \$33M in conservation program applications presently for NRCS to work on.

- National Watershed Initiative (focused on 3 small watersheds) has \$676K available.
- State Conservation Innovation Grants (CIG) has \$400K available to focus on soil health – soil biology and on farm demonstrations this year. Pre-proposals requesting up to a maximum of \$75K in grant funds require a 100% match (some can be in kind) and are due May 3, 2013.
- The Conservation Security Program (CSP) was just authorized signup periods to be announced.
- EQIP 347 contracts approved thus far; another 423 pre-approved some of those will move to CBWI, ranking to be done in field offices approval at state office level.

◆ **Farm Service Agency (FSA)**

- A general CRP signup is underway through June 14, 2013. All expiring CRP and CREP contracts will receive a letter notifying them of potential to reenroll when CREP is reauthorized. Existing CRP contracts can be extended but no new contracts can be approved, local offices are taking applications.
- No new CREP enrollment at this time.
- April JED trainings in 4 location statewide to be delivered
  - April 9, Verona
  - April 11, Suffolk
  - April 16, Farmville
  - April 18, Wytheville

◆ **Letter from Daphne Jamison, Blue Ridge SWCD, hand delivered after end of last TAC meeting.**

- Q: Can SWCD prioritize providing cost-share funds for NM-1A? A: No
- New NM-1A language to address Daphne's concerns;
  - Nut. Man committee to consider and polish language and distribute to full TAC, the full TAC recommended that the conceptual language changes be included in the matrix of recommended changes to go to the Director of DCR for consideration of inclusion in the 2014 BMP manual.

◆ **Nutrient Management Subcommittee Report**

- WP-4C specification proposed changes and discussion points
  - Specification language needs polishing
  - No roof component in NRCS list of applicable standards, roof is now a separate standard.
  - Needs clarity on use of composting end product
    - ❖ Use only on operation that originated the composted mortality, not to operation outside of original managements control.
    - ❖ Should ask for comments from DEQ composting and solid waste permit writers.
  - Strike "per year" from C.

- Libby Norris wants to join the Nutrient Management subcommittee and will work with the nut man committee to resolve edits and better define LAMC questions.
    - ❖ When accomplished and distributed the full TAC must respond to support inclusion in the recommendation matrix for 2014.
  - Ultimately the TAC did not think this specification was ripe for modification and inclusion in 2014.
- ◆ **Forestry Subcommittee:** The TAC recommended that both specification as modified be changed in the 2014 Manual. The following changes should be accomplished.
- FR-1, Tax credit language was praised and suggested that it be either included in the overview of the Tax Credit section of the BMP Manual or in each specification.
  - FR-3, Strike B. 7. And re-number.
- ◆ **Stream Protection subcommittee:**
- WP-2, SL-6 and LE-2 specification language changes the TAC supported modifying the conservation planning language to require consideration of a method of providing water to livestock during emergency conditions, no cost-share for generators.
  - LE-2. The TAC supported allowing 75% cost-share on 35' setback exclusion fence in the same field with 10' setback fence. Staff does not support this proposal.
- ◆ **Virginia Enhanced Conservation Initiative (VECI)**
- Gary summarized reallocation process that is ongoing. "Cash Transfer In" (CTI) monies from previous years and programs will be summed from all SWCDs and assigned to specific practices submitted by SWCDs, these can then be used to fund the 75% VACS level when approved to receive cost-share by the local Board of Directors. Districts that have not obligated 90% of their 2013 VACS allocation will have it all reallocated to fund a third round of VECI funding.
- VECI requests are ranked by dividing the amount of VECI funds requested by the product of the equivalent animal units multiplied by the linear feet of stream bank to be protected, and funding those applications with the lowest ranking scores first until as many of the applications were funded as the VECI funds would support.
  - There were a significant number of VECI applications that did not get funded in both drainage basins.
- ◆ Discussion of the use of NRCS standards and the language of the VACS specifications, some specs call for rotational grazing plans other for prescribed grazing plans. The NRCS standard is a prescribed grazing plan that carries certain requirements especially associated with Operations and Maintenance of the system along with it.
- ◆ Gary advised that he would update the Matrix of TAC Recommended Changes to reflect the recommended modification to 2014 VACS Program from the TAC, and request a meeting with Mr. Johnson to authorize those modifications. Since the control of the VACS is moving from the Director of DCR to the Virginia Soil and Water Conservation Board Mr. Johnson may want input from that group.

- ◆ **DCR stakeholders Group**, Gary advised the TAC that DCR has requested input from and informal stakeholders group to meet April 17 and 24 to look at the existing hydrologic unit methodology for calculating the VACS allocations,(how to slice the cost-share allocation pie for a fair distribution amongst the SWCDs).
- ◆ **WP-4 and WP-4B Updated Risk Assessment** for Water Quality Impairment from Heavy Use Areas/Animal Concentrated Areas: The TAC supported updating the risk assessment tool and revised score requirements of both the WP-4 and WP-4B specifications. It was noted that electronic fill able forms are available through DCR regional CDCs.

## AGENCY UPDATES

**VA Dept. of Game and Inland Fisheries (DGIF)** Gary distributed a written report from Marc Puckett Quail restoration Program manager for DGIF and informed the TAC that Marc would like to present a short presentation to the TAC about quail habitat restoration successes instate and nationwide. Gary has suggested that he attend and deliver the presentation at the October TAC meeting.

**Chesapeake Bay Foundation (CBF)**, Libby Norris was welcomed back to the group, she informed the TAC that CBF had been awarded a grant from the National Wildlife Foundation (NWF) to establish a Grazers' Network and was partnering with the Virginia Forage and Grass Land Council (VFGC) to provide mentoring to grazers in the Shenandoah Valley. They will be establishing a grazing school that will be open to all conservation partners.

### **VA Dept. of Agriculture and Consumer Services (VDACS)**

Darrell Marshall reported that VDACS and DEQ have partnered to implement a "Small Animal Feeding Operation (AFO) Assessment Strategy" and have scheduled four meeting around the state to explain their approach to interested conservationist. The meetings are as follows:

April 2, - Tappahannock, VA

April 3, - Farmville, VA

April 18, - Norge, VA

April 22, - Warrenton, VA

Anyone interested in understanding the strategy and its intended outcomes are invited to attend one of these meeting.

**VA Soil and Water Conservation District Employees Association (VSWCDEA)** will be providing training for District staffs at Graves Mountain Lodge August 22 and 23, 2013. As usual there will be three educational tracks to choose from; Administrative, Technical and Education.

**Small Grains Association;** There will be a small grains Field day at Painter AREC on the Eastern Shore of Virginia on May 16, 2013; all are invited to attend and learn.

**VA Dept of Conservation and Recreation (DCR)** Will be hiring back Roland Owens as a contract employee to develop the RMP and Conservation Planning software modules for the AG BMP Tracking Program.

**VA Assoc of Soil and Water Conservation Districts** Has received a grant of \$300,000 from DCR to acquire hardware and software for all SWCDs to utilize Quick Books and Windows 7. This is an effort to standardized required Attachments and reporting requirements to DCR.

**Dept of Forestry:**

Please remember that Virginia's no burn law is in effect February 15<sup>th</sup> through March 30, 2013. No outdoor burning prior to 4 PM.

DOF and NRCS have developed the Open Lands Initiative/Program with focus areas in the Shenandoah Valley, New River Valley and Chowan Basin areas. This initiative was created to help identify open or semi-open land and develop landowner contact lists that DOF foresters can use to contact landowners and direct them towards existing conservation program opportunities.

**Concerns from the Floor**

None; Meeting adjourned ~ 2:15 PM

**Next meeting date scheduled for August 29, 2013 9:30 AM DOF 1<sup>st</sup> floor training room.**